OBSERVATIONS
ON A
PAMPHLET,
Touching the
Navy & Victualling, &c.

OBSERVATIONS

ON A

PAMPHLET

Touching the

Navy & Victualling, &c.

OBSERVATIONS
ON A
PAMPHLET,
Touching the
PRESENT CONDITION
OF THE
Navy and Victualling.

WITH SOME

Particular *Remarks* on the *AUTHOR*;
And on what he Writes touching
Q's and R's.

By a Well-wisher *to the* Royal Navy of *England.*

London Printed, and Sold by *J. Nutt*, near *Stationers-Hall*, 1700.

OBSERVATIONS

ON A

PAMPHLET,

Touching the

PRESENT CONDITION

OF THE

Navy and Victualling,

WITH SOME

Particular Remarks on the AUTHOR,

And on what he Writes touching

[illegible]s.

By a Well-wisher to the Royal Navy of England.

London Printed, and Sold by J. Nutt near
Stationers-Hall, 1700.

OBSERVATIONS ON A PAMPHLET,

Touching the Navy *and* Victualling, *and* D's *and* R's.

IT might have reasonably been believed, That the Author of a late *Pamphlet*, relating to *Mismanagements* in the *Navy*, would have left off Scribling, since the Answer to his last Year's *Politicks* on that Subject, left him so little Reputation: But finding him an Annual *Stumbling-Block*, it is necessary to describe him, lest those who converse with him in the Dark fall into *Errors*, for want of proper helps to shun them.

It is generally allowed, (and with good reaſon too) That all Men whoſe Principles violently puſh them on to Scandalize others, ſtick not at venting the *Fragments* they gather up, from all Parts of the Town, where they greedily *Mump* for them: And this Buſy Nothing, having (as far as *Ale* and *Brandy* would admit) crowded more Scraps into his Budget, than it could well hold, has, to eaſe himſelf, ſet them at Liberty again.

I ſhould not be much out of the way, did I affirm, That the Zeal this Champion ſhews for Retrieving the *Diſcipline* of the *Navy*, proceeds not from any real Concern, either for the Proſperity of That, or his Country; for had he not ſome Years ſince turned his Back on an Employ in an Office that relates to the Sea, and thereby forfeited his Pretenſions to any other there, I believe he would not have appeared in this Dreſs. This, accompanied with a deſerved Poverty, ſowrs his Blood, and prevails with him to ſcribble a few Sheets, in hopes thereby to reſtore himſelf to the *Bread* and *Cheeſe* he is fallen from; and were his Mouth but ſtopt this way, I dare anſwer for it, he would never open it again on the like Subject. But I muſt confeſs, common Charity permits me not to wiſh him ſuch a Tryal, for ſince the Loſs of one mean Employ has made him

almoſt

almoſt mad, the being expell'd another (which 'tis more than probable his uneaſie Temper would occaſion) may (inſtead of the *Gate-houſe* and *Newgate*,, which one part of his Book beſpeaks him afraid of) introduce him to the *Palace* in *Moor-fields.*

But as he has, ever ſince his Employ ſlipt through his Fingers, made it his chief Buſineſs to Aſperſe others in Publick Offices; ſo has he been very much wanting to himſelf, in not well conſidering how his Allegations might be proved: An Inſtance whereof (if I miſtake not) happned ſome Years ſince, before a Committee of the Honourable Houſe of Commons, at which time he appeared at the Head of numerous Complaints, even againſt the Maſters he deſerted.

I ſhall not rake into the paſt or preſent Life and Converſation of this Worthy Perſon; but this I muſt obſerve, That had he behaved himſelf as all Good Men ought, it is more than probable he might have had at this time a much better Employment than that of *Poet-Laureat* to an *Annual Society*, *Calves-Head Club.* who have diſhed up to them the ſame *Species* he carries on his Shoulders, though probably much better ſtock'd with *Brains.*

Let

Let therefore this Taſte of his Converſation ſuffice, and I ſhall proceed by demanding of him, What are the Footſteps by which he has arriv'd to that profound Knowledge, of foretelling what will be the Event of Things? By what Means he has rendred himſelf ſo great a Proficient in Maritim-Affairs, ſince the time he Inſpected the Quartering of Beaſts? And how he can (with as much Ignorance as Confidence) pretend not only to Judge of the Actions of thoſe Gentlemen who have been Employed in the *Admiralty*, but alſo of what lamentable Effects will attend the Adminiſtration of the preſent Commiſſion, with the Perſon who now has the Honour to Serve as *Secretary* thereunto? What Satisfaction he can give in theſe Particulars, I cannot foreſee; and therefore ſhall conclude, that he has, over a *Pot* and a *Jill*, took them on truſt; and that being inſpired with the Potent *Liquor*, he has diſhed them out ſo as to agree but with his own ſqueamiſh Stomach.

Clerk in the Cutting-House, at 40 l. per Ann.

Did I not own my having Served more than Two Apprenticeſhips in the *Naval School* of *England*, I ſhould follow the Principles of this

Pattern

Pattern of *Truth*: And I ſhould equally expoſe my ſelf, did I not contradict his *Scandalous Reflections*. Having therefore ſome little Experience in Naval Affairs, and the Good Fortune to be known to all thoſe Honourable Gentlemen by whom the Office of Lord High Admiral is Executed, and to be, in a great meaſure, privy to their Tranſactions, I may venture to ſay, That it is their chiefeſt Endeavours to diſcharge themſelves of ſo Weighty a Truſt, with the greateſt Integrity to their *King* and *Country*; and that their Own great Experience, will ſufficiently ſecure them from being impoſed on by a Miniſterial Officer, had he any Inclination ſo to do: And as for that Gentleman, their Secretary, to whom, in particular Good Nature, he is pleaſed to attribute ſo much Knowledge and Dexterity, and therefore to beſpeak his *Exit*, my long Acquaintance with him has procured me his Conſent to ſay, That as he holds his Accuſer in the greateſt Contempt, ſo does he challenge all Mankind to prove, that during his more than Seventeen Years Service (or rather Slavery) in the Navy, he has not conſtantly Acted with the Integrity that becomes an Honeſt Man. But if it is a Crime not to have Enriched himſelf in ſo many Years Service; if he has committed a

Fault

Fault, when in Employments at Sea, in rather giving to, than taking what others have demanded, and received, from many Officers in the Fleet; and if for the Pains he takes in his Laborious Office, he enjoys not the Fourth Part of what came into the Pockets of his Predeceſſors: If, I ſay, theſe things can be juſtly laid to his Charge as Crimes, then does he, indeed, deſerve to be handled with the greateſt Severity.

But that it may appear how brimful this Worthy Gentleman is of Complaints, and how little Inclination he has ſhewn to prove the Truth of them, I may poſitively aſſert (having had it from good hands) That when he did, ſometime ſince, by Letter acquaint the *Lords* of the *Admiralty* with ſeveral Abuſes in the *Navy*, but more eſpecially in the Managing of the *Victualling*, their Lordſhips did thereupon ſignifie their Deſire to ſpeak with him upon thoſe Matters, and at his attending them, did earneſtly preſs him to bring Proofs of his Allegations, and promiſed all fitting Encouragement, if he could make any thing material appear to them; but he excuſed himſelf, by ſaying That he had formerly laid thoſe Matters before other Perſons without ſucceſs, and had

had little Hopes of faring better from them. Upon which, a Perſon of Quality of the Board, who he is pleaſed to be very familiar with, not only in the *Preface*, but other Parts of his *Pamphlet*, admoniſh'd him to be very cautious of *Reflections*, unleſs he could produce ſubſtantial *Proofs*; and earneſtly deſired him (as did the whole Board) to make a thorough Diſcovery to them of what he knew. But this not prevailing, he took the *Informer* away, and left the *Riddle* behind him.

Some time after (as I am credibly informed) he came to the Admiralty-Office, and delivered to Mr. *Burchett* a Letter directed to the Board; and that being asked by him whether he would attend till their their Lordſhips had perufed it, he anſwered (in a way natural to himſelf) *No.* However, the Letter was immediately communicated to the Board; and it containing ſeveral Reflections upon the Officers in the *Navy* and *Victualling*, and Mr. *Burchett* finding that the Malice of this Perſon was in a great meaſure levelled at him, he inſtantly moved their Lordſhips, That the Author might be a ſecond time invited to their Office, in order to the making good his Complaints; and requeſted them, That whatever he had to alledge againſt him in particular, might

be ſtrictly enquired into. The which they were pleaſed to grant; and thereupon the following Letter was writ to him the 11th of *September* laſt.

SIR,

I Am commanded by the Lords of the Admiralty to acquaint you, That they have received your Letter of the 8th Inſtant, relating to ſome Abuſes in the Victualling, and particularly in the Out-Ports. Their Lordſhips would gladly be informed from you herein, in as particular a manner as may be, that ſome Meaſures may be ſpeedily taken for redreſſing thoſe Evils; and therefore I am by their Command to invite you to the making known to them the ſaid Ill Practices, which they will always be willing and ready to receive from you. I am

Your Humble Servant,

J. Burchett.

This may ſufficiently teſtifie he had an Opportunity offered him of bringing to light what he knew: But it had no Effect. Nor would he, when the Board called before them the *Commiſſioners* for *Victualling*, upon a Complaint of Mr. *Kelly* (which he was no Stranger to) and ſolemnly examined into the Management of that Office, ſo far ſhew his Zeal to the Publick (however he may be now inſpired) as to appear Face to Face with thoſe Gentlemen, and charge them with any one Particular contained in his Letters.

Although it is not worth my while, yet I cannot omit taking notice of his Folly; in the Eighth Page of his Book, wherein he appears very much concerned, That the Lords of the Admiralty, upon receiving a Letter Signed *A. B.* offering to make Diſcoveries, do cauſe to be inſerted in the *Gazette* the Subject matter of *A. B.*'s Letter. Now I would gladly know of this Skilful Perſon, If Two Letters ſhould come at the ſame time Signed *A. B.* to the very ſame purpoſe, and with the ſame Date (as hath happened) how he, with all his profound Philoſophy, could ſatisfie either the one or the other *A. B.* their reſpective Letters were received, without hinting ſomething of

the Contents of them; and as I do not find upon peruſing the *Gazettes*, but care has been taken to expreſs as little as poſſible, leſt otherwiſe it might prevent the Diſcovery; ſo may it be proved, That very few of thoſe hidden Gentlemen have brought to light any thing of great Moment to the Publick Good, although they have receievd all Encouragement therein, and that ſome of them, by their Letters, ſeemed to be as well ſtuffed with Materials as himſelf: And 'tis not unlikely that he is the Fountain from whence ſome of theſe *Informers* ſpring; and the rather, for that the Government reaps no greater Advantage from them than from himſelf.

Another thing he is angry at, That the *Fleet* was not ſent from the *Downes* before the 15th of *July* laſt, in order to prevent a ſuppoſed *Invaſion*. Indeed I cannot wonder at his having ſo deep a Senſe of an Invaſion, ſince (if I am not very much miſinformed) his ſhewing an early Good-will to an Attempt of that kind in the late Reign, procured him ſuch Treatment as will always ſtick in his Stomach; and perhaps his Meaning is, That he then ventur'd his Life for the Preſervation of his Country.

Duke of M.

But

But as for the *Fleet*'s lying in the *Downes* till *July*, I cannot foreſee that they might not have been as ready from thence as any other Place, to prevent an *Invaſion*: For, ſuppoſing a Neighbour of ours had put to Sea with any ſuch Deſign, and with a greater Strength, and that our Ships, by being far Weſtward, had been cut off from Succour, I would gladly know whether we had not then been in a hopeful Condition to defend our Country? For as in ſuch caſe, it would have been next to an Impoſſibility to have ſent an additional Strength to their Relief, a greater Force being between them and ſuch Succour; ſo might they, upon any Alarm, when in the *Downes*, either have gone from thence, and attack'd the Enemy with the Strength they had, or have continued there ſome little time, till more Ships could have join'd them from the River.

In one thing I do agree with him, That the Chiefeſt Defence of our Country is a *Good Fleet* at *Sea*; but I believe this Freſh-water Sailor has totally miſ-ſpent his Time in collecting the *Naval Force* of our *Neighbours*, ſince he is ſo very Indiſcreet as to affirm, That ours is ſufficient to beat the reſt of the World twice over, with the reſerve of a Good Fleet into the Bargain.

In

In fine, If this *Patriot* for his Country, would, inſtead of turning a-drift into the World ſuch a Crowd of Complaints and Reflections, deſcend to particular Crimes, and the Perſons who have Committed them, whereby they may be brought to Puniſhment, his Zeal for his Country's good would then the better appear: And although he has taken the Freedom boldly to reflect on all, without reſpect, yet has he little reaſon to apprehend he ſhall fail of Encouragement, if he confirms his preſent *Naked Complaints*, by *Juſt* and *Subſtantial Proofs*.

Having ſaid thus much, I ſhall now require this over-wiſe Perſon to make it appear, in what manner our *Naval Strength* is (as he ſays) fallen to Decay, by the Male-Adminiſtration of thoſe to whoſe care it has been Entruſted, ſince it may be poſitively affirmed, That inſtead of ſuch a Misfortune, our *Royal Navy* is at this time in a much better Condition than it was at the Entrance into the late *War*; And that as to the *Oeconomy* and *Diſcipline*, (the Loſs whereof he ſo much bewails) there is no Man who is a proper Judge thereof, but will readily own very many Embelliſhments have been added thereunto, by the Care and

and Pains of those Worthy Persons who Commanded both at Home and at Sea, since the time the aforesaid War commenced.

Having now made bold with more time than I could well spare, I will draw to a Conclusion, with some Observations upon what this Person writes concerning *Q*'s and *R*'s.

As to the *Q*'s; I believe such a Method of obliging Seamen to keep to their Duty, was not practised in the Navy, before the Beginning of the late War: For when the Nation in the Reign of King *Charles the Second*, enjoy'd a long *Peace*, very few Ships were kept in Pay, nor were there many more to be depended on in the beginning of the Reign of the late King *James*; an Instance whereof plainly appear'd, when the Duke of *Monmouth* made an Attempt on this Kingdom, at which time the Government was constrained, for want of Ships of War on our Coasts, to Hire and Fit out two Merchant Ships, the one at *Bristol* and the other at *Plimouth*, to join One Fourth, Two Fifth, and Three Sixth Rates, (Two of which had but Twenty Men each) which were all the Ships then in the way, and ready to send to *Lime* for suppressing the said Duke, though

even

even at that time, there were actually in pay very near Five thousand Men, who were dispersed in Ships employed in the Plantations off of *Salley*, on Convoys, and other necessary Services.

Since then it was in those Times thought, there was little occasion to secure our Country by Shipping, (though the Event might have shewn the Contrary) when any Man was set Sick on shore, he was immediately Discharged, a Ticket made out for his Wages, and he left at liberty to dispose of himself as he thought fit. But when the Nation, for the Security of its Religion and Liberties, entred into such a War as called for all, or the greatest Part of its Naval Forces; and that above a Year's Experience therein, sufficiently shewed, more than an ordinary Care was necessary to prevent Seamens deserting the Service, it was maturely considered by the then *Admiral* of the *Fleet*, the *Flag-Officers* and *Commanders*, whose Representation to the Lords of the Admiralty procured the following Order, which still continues in force.

By

By the Commiſſioners for Executing the Office of Lord High Admiral of England, Ireland, *&c.*

RULES *and* DIRECTIONS, *Appointed to be Obſerved, in order to the Returning to Their Majeſties Service, ſuch Men as ſhall be put on Shore, Sick or Hurt, from Their Majeſties Ships.*

I. THAT when any Men ſhall be put on Shore Sick or Wounded from any of Their Majeſties Ships, their Cloaths and Bedding be ſent along with them, for their Relief in their Sickneſs,

and preventing their being wholly loſt to the Men, which oftentimes happens when they are left behind them on board the Ships.

II. *That the Commiſſioners for Sick and Wounded Seamen, do carefully obſerve their Inſtructions, which directs them to take care, as ſoon as any Men ſent Sick or Hurt from the Fleet ſhall be recovered of their Sickneſs or Wounds, they do forthwith return to their reſpective Ships, or on board ſome other Man of War then in the Road or Harbour, untill they meet with the Ship unto which they belong; or if none of Their Majeſties Ships or Veſſels be there, that then they give ſuch recovered Men, capable of returning into the Service, Conduct-Money to the next Port, where their own, or any other of Their Majeſties Ships or Veſſels are.*

III. *That in regard it ſometimes happens there are none of Their Majeſties Ships or Veſſels at the Ports where the Sick and Hurt Men are, to receive them as they recover, and inſtead of going to ſome other Port to find Conveyance to their Ships, they do deſert the Service, and that at other times the Commanders of Their Majeſties Ships and Veſſels do refuſe to receive them, all Commanders of Their Majeſties Ships and Veſſels are directed as they come to any*

any Port, to take in such Men as shall be sent on board them by the Agent for the Sick and Wounded in that Port, and to put them on board the Ships they belong to, as they shall meet with them; and that when the Fleet shall be abroad, some Frigats or Tenders be frequently sent to the Ports of most Note, to fetch off the Sick and Hurt Men as they recover.

IV. *That the Commanders of Their Majesties Ships do put a* Quære *on the Ship's Books, against each Man's Name that shall be set on shore Sick or Hurt, for the stopping of their Wages, until they shall return to their own, or bring Certificates of their Entry on board some other of their Majesties Ships, of which they are to acquaint the Seamen, by setting up a Notification thereof in some publick Place in each Ship. And to the end each Commander may know how his Sick and Hurt-Men are disposed of, and be thereby inabled to do right both to Their Majesties and them, that a Correspondence be held between all the Commanders of Their Majesties Ships, and the Commissioners for Sick and Wounded Seamen concerning the same, which Commissioners having Monthly Accounts from their Agents at every Port, of the Men put on shore, are to cause a Column to be added thereto of the Circumstances of every Man, and from thence to Collect, and from time to time give an Ac-*

count to the Commander of each Ship, which of his Men are Dead or Run, which are continued in Quarters, which are Diſcharged, and how they are diſpoſed of, for his Information therein.

V. *And for making this Method more eaſie to the Commanders of Their Majeſties Ships; when any Man is put on Shore Sick or Hurt, the Number on the Ship's Book on which he ſtands is to be Noted on his Ticket ſent with him to the Officer on Shore, who takes care of the Sick and Wounded; and the ſaid Officer is to do the like in the Liſts he ſhall return to the Commiſſioners for the Sick and Wounded, and they to inſert the ſame in the Liſts which they are to tranſmit to the reſpective Commanders. Dated at the* Admiralty-Office *this Twenty Third Day of* March, 16$\frac{90}{91}$.

Pembroke.
J. Lowther.
Ric. Onſlow.
Falkland.
Rob. Auſtin.

By Command of the Commiſſioners,
J. Southerne.

By

By this it does appear, not only what Care was taken to prevent the Seamens deſerting the Service, but alſo to let them know the Penalties they would incur by doing it; and had not ſuch a Method been wiſely found out, 'tis to be doubted the Walls of our Country would have been but ſlenderly Mann'd; for as they formerly had too great a Latitude to leave the Service, ſo did this Method in a great Meaſure tie them to their Duty. But notwithſtanding this pretended Bug-bear, Care has been always taken to do juſtice to the Sailors; for when any one produced reaſonable Teſtimonials, that he did not deſignedly Deſert the Service, but that after Recovery he endeavoured to return to his proper Ship, if in the way, or Enter'd himſelf in any other Ship or Veſſel within reach, or that he was Impreſt'd when endeavouring ſo to do, the *Q.* has been taken off, and he reſtored to his Pay. A plain Inſtance whereof follows; for when the Lords of the Admiralty did ſometime ſince take upon them the Inſpection of the *Q*'s and *R*'s, they did in leſs than Six Month's time, relieve at leaſt Seven Hundred and Fifty of the Seventeen Hundred Perſons who made Application: And the Principal Officers and Commiſſioners

missioners of the Navy, do now (as formerly) constantly examine into these Matters, and determine them in favour of the Sailor, when he produces to them such Proofs as may justifie them in doing the same.

But it is to be observed, That when Seamen have been so much wanting to themselves and their Families, as to forfeit their Pay, by turning their Backs on their Duty, they have nevertheless been prevail'd with, to make over the same to the Ticket-Buyers, Sollicitors, and such Persons, for little or nothing; and 'tis these People who are so clamorous in the behalf of the Seamen, in hopes of reaping the Benefit of their cheap Purchase. 'Tis these Blood-suckers, I say, and others, who trust the poor Sailor at more than 50 *per Cent.* Profit, that industriously spread abroad the Injuries done by these *Q*'s and *R*'s; whereas the Sailors themselves could not be otherwise than conscious (and perhaps heartily repent too) that by their wilful leaving the Service, they had forfeited what should have supported their poor hungry Wives and Children.

As

As to the *R*'s, if I miſtake not, this has been practiſed in the Navy long before my ſelf, or even my Antagoniſt was thought of: And ſhould this way of reſtraining Seamen be laid aſide (eſpecially in time of War) but little Service can be expected from our Ships, when the Safety of the Nation calls for them. But that the poor Sailor may not unjuſtly ſuffer in this caſe, care has and will be taken to relieve them, upon their making it appear they did not deſignedly leave the Ships in which they Served.

I muſt confeſs it much ſurprizes me, that our Sailors, knowing the Penalties they incur by deſerting the Service, and the great Inconveniencies they thereby bring upon themſelves and Families, they will nevertheleſs, be ſo unnatural and indiſcreet, as to throw away what they have ſo hardly Labour'd for; and I do for their ſakes) moſt heartily wiſh, That they themſelves would take it better into Conſideration, and by keeping to their Duty, prevent thoſe Misfortunes which Diſcipline muſt otherwiſe expoſe them to. One would not imagine that they ſhould want any great Invitation thus to ſeek their own Good; for many of them who left their Ships in the late

late War, must undoubtedly have laboured under very great Want and Hardships, when had they kept to their Duty, they might plentifully have enjoyed all things necessary for Life.

I have often seen their Bravery and Generosity in other Matters, wherein it may without Vanity be said, They far exceed those of other Nations; and why they should so far degenerate from Themselves, by deserting those Bulwarks which they well know the chief Defence of their Country, their Wives, Children, and Relations, I cannot imagine; though I could wish they were less prompted to it by Persons not the best Affected to the present Government. And as I shall be very far from believing (whatever the Thoughts of their pretended Patron may be) that an *English* Sailor thinks himself forced out of, and detained from his Native Country, when at the same time he is in his own proper Calling employed in its Defence, even in what may properly be called a Part thereof; so will I not undertake to prescribe the Reward due to any Person, who by his Insinuations would debauch them from their wonted voluntary Disposition to Serve their Prince and Country against a Foreign Enemy.

This,

This, methinks, is a Duty that no good Man ought to be ſpurr'd to; and as I cannot believe our Sons of *Neptune* will ever this way forfeit the Reputation they have gained, which makes them emulated by all others; ſo do I hope (and not without good Grounds too) that ſome effectual Means may be found, to ſet them more at eaſe for the future; towards which, if my weak Capacities may any way contribute, they ſhall be moſt heartily and readily employed.

F I N I S.

205404

Remarks upon the NAVY.

The Second Part.

CONTAINING

A REPLY to the Obſervations on the Firſt Part.

WITH

A Diſcourſe on the DISCIPLINE of the Navy, ſhewing that the Abuſes of the Seamen are the higheſt Violation of *Magna Charta*, and the Rights and Liberties of *Engliſh* Men.

In a Letter from a Sailor *to a Member of the Honourable* Houſe of Commons.

Hæc niſi inde aberunt, centuplex murus rebus ſervandis parum eſt. Plaut. in Perſa.

London, Printed in the Year 1700.

Remarks upon the NAVY.

The Second Part.

CONTAINING

A REPLY to the Observations

on the First Part.

WITH

A Discourse on the DISCIPLINE of the Navy; Shewing that the Rules of the Service are the highest Violation of Magna Charta, and the Rights and Liberties of English Men.

In a Letter from a Sailor to a Member of the Honourable House of Commons.

London, Printed in the Year 1700.

The Second Part
OF THE
REMARKS on the NAVY.

SIR,

I Thank you for ſending me the Obſervations upon the firſt part of my Remarks on the Navy, becauſe it came while I was writing ſomething upon the Diſcipline of the Navy; ſo that at the ſame time I have an opportunity to correct the Inſolence of that inſignificant Scribler. I can aſſure you, Sir, I am as well acquainted with the Gentleman he ſcandalizes, as the Author himſelf is with the Secretary of the Admiralty; and tho I much prefer Argument before Reviling, I muſt ſpare a few Paragraphs in vindication of one that bears a better Character in the world than this trifling Obſervator can pretend to. This Author ſays, that what he has ſent into the World, is the Effect of *Ale* and *Brandy*: Now I know that Gentleman never drinks one of thoſe Liquors, and very ſeldom of the other; ſo that beginning his Book with a *Lye*, you have little reaſon to believe him afterwards. There was, Sir, in our Time, one Captain *Fudge* Commander of a Merchant-man, who upon his

Return from a Voyage, how ill fraught ſoever his Ship was, always brought home his Owners a good Cargo of *Lies*, inſomuch that now aboard Ship the Sailors, when they hear a great *Lye* told, cry out, *you fudge it*. Now, Sir, I muſt give you to underſtand that this memorable Captain *Fudge* got diverſe and ſundry Sons, ſome for the Admiralty, ſome for the Navy, and ſome for Merchants Service; and this Author's Talent of *Lying* coming up to the Standard of the Sire, we can believe him to be no other than young *Fudge* of the Admiralty, and by his Multiplication of Lyes, may be admitted to Seniority, and take place as elder Brother.

Young *Fudge* tells you, *page* 4. that the Party he ſcandalizes turned his back upon an Office wherein he was employ'd; but if he were reſtored to the Bread and Cheeſe he is fallen from, he dares anſwer for it that his Mouth would be ſtopt, and never open'd again on the like Subject: and this place, he ſays, *pag.* 6. was Clerk of the Cutting-houſe at 40 *l. per Ann.* Do but mark the reaſon of the empty Creature; A Place of 40 *l. per Ann.* did not ſtop his Mouth, and therefore the ſame place of 40 *l. per Ann.* will ſtop his Mouth. Such conſequences as theſe, are the natural Product of the Brains employ'd in the Navy, where a wonderful Stupidity, join'd with a good ſtock of Impudence, never fails of Preferment. But I can aſſure him that Gentleman is ſo far from deſiring ſuch an Employ, or ſcandalizing himſelf by ſerving the Navy under ſuch an Adminiſtration, that he would not tell thoſe men his name for ſuch an Office.

He tells us in the ſame Page, that he has *a deſerved Poverty*. Now it is no Crime nor Sin to be poor. But it is very hard for a man to be cheated of his Right,

Right, and then reflected upon for his Poverty. His Poverty indeed is deserved on the account of his Services to this Government and his Country: Young *Fudge* is in the right on't here; for great care has been taken to keep those down, that rose most early in the Service of their Country. These Reflections are but so many Arrows shot at themselves; for there was never a man in that Office to which this Gentleman belong'd besides himself, that ever ventur'd a Hair of his Head in the Service of his Country; yet at the same time, a parcel of poor insignificant Mortals, as foolish as fortunate, enjoy'd places of 400 *l. per Ann.* in that Office. Now the reason why this Gentleman took this mean Employ in that Office, was upon the account of an Uncle of his, then a Commissioner there, who brought him into that, in prospect of another much better, likely then to be vacant; for which he had the promise of a certain Person, who deals so much in Religion, that he cannot afford us any of his Morals, or so much as once be true to his word.

This Observator *fudges* on, and tells you *p.* 5. That this Gentleman some years ago could not prove his Allegations before a Committee of the House of Commons. How he came to have more sense than the whole House of Commons, I can't tell: for upon the report of that Affair to the House, they were not of such an Opinion. He tells you in the same Page, that he is Poet Laureat to the *Calves-head Club*: but if young *Fudge* were to be hang'd, or make good this Assertion, he would be in a fine Condition. In *p.* 6. he magnifies his Knowledg, by acquainting the world he has served two Apprenticeships in the Naval School of *England*. I have known one that served two Apprenticeships in a University, and yet as great a

Fool as if he had never been there. He tells you abundance of Stories of his good Services, of his Honesty, *&c. p.* 7. which we may believe to be e'en as true as what went before; for if it be true, he is a Nonsuch. He would make us believe, that he has not enrich'd himself by his Employment, and that he gets not one *4th* part of what his Predecessors got before him. One Reason of this may be an Order put up in their Office, that no Officers thereunto belonging should take any Bribes or Rewards; and I could wish another Article had been tack'd to that Order, *viz.* That the Commissioners should receive no Presents of Prize Wines from the Commanders.

Page *7th* he says that he holds his Accuser in the *greatest Contempt*. Not so fast good *Fudge:* the Accuser you pretend, is a Gentleman born and bred; but you have skip'd to a high pitch of Insolence, since you were *Pip*'s Footboy, and your good Lady Mother kept an Apple-stall in *Westminster*, with a little Net over it, lest some unlucky Boy should rob her of a Pennyworth of Apples and a halfpennyworth of Gingerbread, and so break her at once. Tho you are skip'd up to Preferment, you must not undervalue men of Birth and Education, especially one that has forgot more Learning than ever you were capable of remembring.

Page 8. he tells you that this Person did sometime since by Letter acquaint the Lords of the Admiralty with several Abuses in the Navy, but especially in the managing of the Victualling: their *Lordships* did thereupon signifie their desire to speak with him; but when he attended them, he excused himself by saying, That he had formerly laid those Matters before other Persons without Success, and had little hopes of

faring

faring better from them. Now here is young *Fudg* again. For the Gentleman tells me that he never writ a Line to the Lords, before their Lordſhips ſent a Letter to him, requiring him to attend them. He came to the Office according to their Lordſhips Order, and enquiring of the Doorkeeper whether their Lordſhips were ſitting, the Door-keeper gave him a ſurly anſwer, and ſlap'd to the Door; however he knock'd again, when Mr. Door-keeper looking out, ſaluted him with a *what does the Fellow want?* At which the Gentleman gave him ſome hard Language, and told him their Lordſhips had ſent for him; but if they had nothing to ſay to him, he had nothing to ſay to them. Soon after this he was admitted to their Lordſhips, who indeed received him with a Civility anſwerable to their Characters, and gave him all the Reaſon in the World to imagine they were real in their Intentions to redreſs thoſe Grievances they were willing to be acquainted with. But the Secretary acquainted their Lordſhips, that this Gentleman had printed a ſcandalous Libel, reflecting upon the late Commiſſioners, which was confirmed to their Lordſhips by another Scribe there, tho, I believe, neither of them ſaw that Gentleman's face before that time; which, together with ſome other ſcurvy Reflections, without any Reprimand from the Board, was diſcouragement enough for him not to lay any thing before them.

He ſays, *pag.* 11. That this Gentleman, when the Board called before them the Commiſſioners for Victualling, upon a Complaint of Mr. *Kelly*, did not ſo far ſhew his Zeal to the Publick, as to appear face to face with thoſe Gentlemen. Truly 'tis no wonder he did not appear, when he knew nothing of the Buſineſs: Did their Lordſhips give him any notice? or did they order

order him to attend at that time? He prints a Letter from Mr. *Burchett*, pag. 10. to the Author of the Remarks, which he ſays may ſufficiently teſtify he had an Opportunity offered him to bring to light what he knew upon Mr. *Kelly*'s hearing. Well ſaid young *Fudge*. The Letter to the Author is dated *September* 11. and Mr. *Kelly*'s hearing was the *6th* of the ſame Month, five days before. This is Admiralty Reaſon all over. He ſays, at that time the Management of the Victualling was ſolemnly examined into, when Mr. *Kelly* ſummoned about 50 Witneſſes, and but about a fifth part of them were called in and examined; this was a ſolemn Hearing indeed. 'Tis true, he was no ſtranger to Mr. *Kelly*'s Complaint, but encourag'd him to lay it before that Board, in order to judg by their Management of a piece, what they would do with the whole.

Upon this Hearing Captain *Boult*, the Purveyor for Corn, a Gentleman that knows more of the buſineſs of the Victualling than all the reſt concerned therein, was diſcharg'd from his Employment by their Lordſhips. I know not the Merits of Captain *Boult*'s Diſcharge, but am fully aſſured that Miſmanagement lay at the door of another Perſon. However this Gentleman hearing it buzz'd about the Victualling Office, that Capt. *Boult* was diſcharged for accuſing one of the Commiſſioners, and knowing it to be the conſtant practice of the Victuallers to diſcharge all ſuch as made Complaints, thought it would be in vain to bring any more Perſons before their Lordſhips to teſtify any thing againſt the Commiſſioners, they being aſſur'd of a diſcharge by one Board or the other. But this Gentleman being unwilling to believe a thing upon a bare Report or Surmiſe, went up to the Lords to know of them whether Captain *Boult* was diſcharged upon the

ſaid

ſaid Account or no: But there being not a full Board, their Lordſhips declined giving him any anſwer to his Queſtion. And this is the true Account of the matter, however *Fudg* with his *Billingſgate* Rhetorick has been pleas'd to miſrepreſent it.

Our empty-brain'd Author in the ſame Page, reflects on my Folly, in being concerned that the Lords of the Admiralty, upon receiving a Letter ſigned *A. B.* offering to make Diſcoveries, do cauſe to be inſerted in the Gazet the ſubject Matter of *A. B*'s Letter; and would be gladly informed, if two Letters ſhould come at the ſame time, ſigned *A. B.* to the very ſame purpoſe, and with the ſame Date, how he could ſatisfy either the one or the other *A. B.* their reſpective Letters were received, without hinting ſomething of the Contents of them. Certainly this cannot puzzle the boaſted Wiſdom of the Admiralty. If both Letters are ſigned *A. B.* and both of them contain the ſame matter; if one of the *A. B*'s appear, it may be ſufficient. And if after one *A. B.* has appear'd, if they are deſirous to hear what the other *A. B.* can ſay, 'tis but Gazetting again, and they'l be acquainted with both: or otherwiſe, ſuppoſe their Lordſhips in one Advertiſement ſhould require both the *A. B*'s to appear, mayn't this be done without telling the ſubject matter of their Letters, which are both to the ſame purport?

It is obſervable this Admiralty Officer, always in his Scribble, loads Complainers with the infamous name of *Informers*. Is this Character the mighty Encouragement they give to Complainers? 'Tis well they han't all their Throats cut, as one lately had at *Portſmouth* upon ſuch an Account; for thoſe who have ſerv'd their Country after this manner, have for the generality met with ſuch Treatment, or the recompenſe of ſtarving

or

or losing their Employments. It's a hard Case that such as complain of Grievances, should undergo the scandal of Informers, when such as informed against Conventicles in the late Reigns, meet with such Encouragement in this, as a Journeyman Apothecary, a common Informer and Persecutor, was made Commissioner of the Victualling. I could mention many more such that have got good Employments, when such as complain of Grievances get only the abusive title of Informers from our Admiralty folk.

Young *Fudge* says, *page* 12. of his Railery, That I am angry that the Fleet was not sent from the *Downs* before the 15*th* of *July* last, in order to prevent a supposed Invasion. *And indeed,* says he, *I cannot wonder at his having so deep a sense of an Invasion, since (if I am not very much misinform'd) his shewing an early good will to an Attempt of that kind in the late Reign, procured him such Treatment as will always stick in his Stomach; and perhaps his meaning is, That then he ventur'd his Life for the preservation of his Country:* and that you may know what Invasion he means, he tells you in the Margin 'twas the Duke of *Monmouths.* I could tell you a pretty Story, were it convenient, concerning the Methods of destroying that unfortunate Duke; but as for the Invasion I know nothing of it: when a People are robb'd of their Liberty, and are brought into perfect Slavery, they may come to the recovery of their Rights either by Land or by Water. And it is justifiable in any Person, tho never so obscure, to head an armed Company in defence of their Rights, much more a Person of that Duke's Quality, however unfortunate. That our Rights were then Invaded is beyond dispute, when at that very time the late King was collecting the Customs and Excise without Act of Parliament. I make

no

no queſtion but this Admiralty Tool, who in this Reign calls the Duke of *Monmouth*'s Diſembarkment an Invaſion, will in the next ſay as much of the Prince of *Orange*'s Deſcent; for I dare engage, like the Vicar of *Bray*, he'l hold in under all Governments, if fawning, ſneaking, and lying will effect it. But prithee *Fudg*, according to the Doctrines of Paſſive Obedience and Non-Reſiſtance, the avowed Principles of thy Party; how can'ſt thou hold an Office under a Government built upon the Ruins of thoſe Doctrines? but thy Conſcience is a State Weather-cock, turned about by the wind of any Revolution. The treatment I met with in the late Reigns was indeed ſevere enough, and none but an ill-bred Skipkennel would reflect upon a Man for his Misfortunes, which he has undergone with ſo much Reputation and Credit; nor are my Hardſhips under this Government much leſs, only with this difference, that I was as early to bring this King in as I was to drive the other out: nor am I alone in theſe Misfortunes, there are many beſide my ſelf that are diſcouraged by this Government, when many are enabled to buy themſelves into Offices with the Money they got for Pardons of the D. of *Monmouth*'s followers: and if the Recovery of our Rights be not juſtifiable, I ſhall with this Author conclude, that I did not then venture my Life for the preſervation of my Country.

Page 13. concerning the Fleet's lying in the *Downs* till *July*, he ſays, "He cannot foreſee that they might "not have been as ready from thence as any other "place to prevent an Invaſion: For, ſuppoſing a "Neighbour of ours had put to Sea with any ſuch De"ſign, and with a greater Strength, and that our "Ships by being far Weſtward had been cut off from "Succour, I would gladly know whether we had not

 "then

" then been in a hopeful Condition to defend our " Country? For in ſuch a Caſe it would have been " next to an impoſſibility to have ſent an additional " Strength to their Relief, a greater Force being be- " tween them and ſuch Succour; ſo might they upon " any Alarm, when in the *Downs*, either have gone " from thence, and attack'd the Enemy with the " Strength they had, or have continued there ſome " time till more Ships could have joyn'd them from " the River.

I can ſee no Reaſon why our Ships ſhould be too far Weſtward, or ſo far Eaſtward as the *Downs*, unleſs we purſue the old Methods of ſending them fartheſt out of the way, when they ſhould do us moſt Service. If a Neighbour of ours had a deſign to invade us, I think it a very improper Station to prevent it, to ride with our Ships at one end of his Country; when I ſtand in the middle of a Thing, I can ſee more of that Thing than if I ſtood at either end. Now in ſubmiſſion to the Admiralty Politicks, I ſuppoſe the *Downs* the worſt Station for our Shipping to obſtruct an Invaſion; in the firſt place it is a great way off any of the Enemies Ports, where their Ships of War are laid up; and then the Winds hanging Weſterly for at leaſt two thirds of the Year, the Enemy have an Opportunity of invading us when our Ships are Windbound; and they have all the Coaſt of *England* clear from the *Downs* to the *Lands-end*. I ſhould rather imagine St. *Helens*, *Spithead*, and *Stokes-Bay*, a proper Station for our Ships at ſuch a juncture. If we are not ſtrong enough in ſhipping, they are more readily ſupplied with an additional force from *Portſmouth*, from whence they may be join'd in a few Hours. When our Author ſays, in the *Downs* they may be join'd from the River in a little time,

time, he ſays he knows not what; ſuppoſe the Winds are contrary, it blows a Storm, or our great Ships are beneapt. It's true, there are not ſo many Ships laid up at *Portſmouth*, as in *Chatham* River; but I hope they may be fitting out on ſuch an Occaſion, both at *Chatham* and *Plymouth* at the ſame time. We are in no danger from the Eaſtward, the Enemy has but few Ports that way, and all that Coaſt is a Lee-ſhoar above half the Year; and all the other Ports of our Enemy being to the Weſtward of St. *Helens*, if the Wind ſhould ſpring up to the Eaſtward, and bring any of the Enemies Ships from an Eaſtern Port, they cannot join their other Ships without obſtruction from our Fleet. But I ſhall go too far upon this Subject; for young *Fudg*, a little lower in this Page, tells me I am but a freſh Water Sailor, and conſequently can have no knowledg in Naval Affairs: perhaps I have ſeen as much of the Sea as young *Fudg* himſelf; I think I ſaw more of it in the great Storm in *February* laſt, than ever I ſhall deſire to ſee again: yet ſuppoſe I am no Sailor, but a meer Landman, why mayn't one Landman talk of Ships Stations, as well as another Landman appoint them?

Now we muſt allow our *Fudg* to ſay ſomething in defence of an Office, in which he poſſeſſes ſo eminent a Poſt: he that will lye, will without doubt ſwear for his Maſters; he ſays the Royal Navy of *England* is not fallen to decay, but on the contrary, "That inſtead of ſuch a Misfortune, our Royal Navy is at "this time in a much better Condition than it was at "the entrance into the War. Thank you for nothing, good Sir, after ſo many Millions ſpent. I hope the Navy Officers han't embezeled all the Money appointed for that Service; 'tis a hard caſe if we have not more Ships built, and our Dock-Yards fuller of Stores:

but this is not the Queſtion, Are our Ships as well Officer'd? are they as well man'd, are they as well paid? have they as good a Diſcipline? Yes, he ſays, " As to " the Oeconomy and Diſcipline, there is no Man who " is a proper Judg thereof, but will readily own very " many Embeliſhments have been added thereunto by " the Care and Pains of thoſe worthy Perſons who " commanded both at Home and at Sea, ſince the afore- " ſaid War commenced. The Embeliſhments added to the Diſcipline of the Navy, he inſerts in five Rules or Directions, *p.* 17. appointed to be obſerved in order to the returning to their Majeſties Service, ſuch Men as ſhall be put on ſhore ſick or hurt, from their Majeſties Ships. He tells you nothing how theſe Rules and Directions were obſerved, how the Complaints upon breach of theſe Directions have been redreſſed, not one word of this matter. Now to theſe five Rules and Directions of Navy Diſcipline, I ſhall at the end of this Paper add twelve more, which Mr. *Dennis* in his Paper preſents the World, under the name of Grievances; and in the mean time, Sir, ſhall diſcourſe ſomething concerning the Diſcipline of the Navy.

The Sailors are the only People of the Engliſh Nation, that are left to the diſcretionary Power of their Commanders, a Power indeed which belongs only to a Being which is always Wiſe, and ever Juſt. When Men execute ſuch a Power, it can be call'd no otherwiſe than Arbitrary, for all Men are born to ſome Rights, and thoſe Rights are ſecured to them by ſome Laws. Now to take away from them thoſe Rights in defiance of thoſe Laws, is an action in it ſelf Arbitrary. No Court of Juſtice in *England* can give a Sentence ſo definitive, that the Defendant ſhall have no Appeal to any other Court. If I am caſt at Com-

mon

mon Law, I can appeal to Chancery; if in Chancery I have a Decree againſt me, which I eſteem extrajudicial, I can appeal to the higheſt Court of Parliament: but the poor Sailors Caſe comes not under the Cogniſance of any of our Courts, they are oppreſs'd by the Diſcretionary Power of their Commanders, without any equitable Relief, according to the Conſtitution of their Country. I ſhall here therefore endeavour to ſhow that the Diſcipline of our Navy has been directly contrary to our Conſtitution, and then leave any one to judg of that Diſcipline, whether it has not been matter of juſt Complaint, and an abominable Abuſe upon the Sailors.

The 29*th* Chapter of *Magna Charta* ſays, **No Freeman ſhall be taken or Impriſoned, or be diſſeized of his Freehold, or Liberties, or Free Cuſtoms, or be Outlaw'd or Exiled, or any otherwiſe deſtroyed; nor We will not paſs upon him, nor condemn him, but by lawful Judgment of his Peers, or by the Law of the Land.** Theſe words *per Legem Terræ*, in the end of this Chapter, do refer to all the precedent matter contained in it. Now I give any one leave to judg whether the Impreſſing Seamen for the Service, be not a violation of *Magna Charta*, when Men are *taken* and *impriſoned* a Shipboard ſix or ſeven Years together. To ſay we are a free People when any of us are in effectual Slavery, is meer Nonſenſe; for the ſame Power that deprives one part of the People of their Liberty, may enſlave the whole People. And yet how many Preſs-Warrants have we had granted from the Admiralty to Men that are no Officers? For none are ſuch, but thoſe that are under the Cognizance of the Laws of the Land: Where do our Laws make mention of a Preſs-maſter? Whom do our Laws commiſſionate to conſti-

tute

tute ſuch Officers? Now when a Freeman is taken and impriſoned by an Officer not known to our Laws, ſuch an Act is a downright Piracy upon the Liberty of the People.

'If they object, That without this Diſcipline the Ships of War cannot be mann'd for the ſecurity of the Realm: if it be Neceſſary, make it Legal; we had as good loſe our Country, as loſe our Rights. But how have Navys been ſupply'd with Men in former Ages? When the Nation's Service was accounted the beſt at Sea, and Men made Intereſt to get before the Maſt; this proceeded from the good Diſcipline of thoſe times, the good Uſage of the Seamen by their Commanders; they were not then poiſon'd with bad Proviſions, Peaſe-Bread, and ſtinking Beef and Pork; they were not then kept out of their Pay by Q's and R's: Such Men as General *Blake*, the Earl of *Sandwich*, *Dean*, *Lawſon*, *Bourn*, *Minns*, &c. were familiar with their Sailors, and inſtead of calling them damn'd Dogs, or Sons of Whores, call'd 'em Brethren. The Abuſes of Seamen in this point, during this War, have been very conſiderable, but without Redreſs, as their other Grievances have; and ſome have been commiſſionated in this Affair, too big for me to mention, and have received Salaries for this piece of Service, tho I could never hear of any Service they did, ſave only a Cuſtomer's impreſſing a great many Maſters of Ships at *Brighthelmſtone*. They were not only Seamen they preſs'd, but many times Landmen, when the preſs Smacks coming into ſmall Creeks took ſuch Men away, and carrying them 40 or 50 Miles from their own homes, have left them to beg their way to their own Country; many thus have had their Limbs ſtarv'd by lying upon the Ballaſt, being unac-

unaccuſtomed to ſuch hardſhips; and when any of the Landmen thus preſſed have been diſcharged, they have paid 12*d. per* day to the Maſter of the Smack for Diet, and no doubt but the King paid near as much. Now I perceive the main Reaſon of want of men, is our want of good Commanders. Capt. *Jumper*, nor any of thoſe Commanders during the War that uſed their men honeſtly and civilly, ever wanted their Complement of men: But our Beau Commanders, the Sir *Courtlys* of the Sea, if they were forced to man their Ships upon their own Credit and Reputation amongſt the Sailors, would not be able to bring them from the River to the *Downs* in a twelve Month. And to keep theſe Creatures in Commiſſion, we muſt it ſeems make a rent in our Conſtitution.

No man ſhall be diſſeiſed, i. e. put out of *Seiſin*, or diſpoſſeſſed of his Freehold, *i. e.* Lands or Livelyhood, Liberties or Free Cuſtoms, which belong to him as his free Birth-right. Now to ſay that a Seaman has not as good a Right as any to the Free Cuſtoms, Franchiſes, and Liberties of the Country he is born in, is very abſurd. If a Landman has a liberty to go on Foot, or Horſeback, or by Coach, to follow that Employ whereby he gets his livelyhood; has not a Seaman the ſame Right, to ſail in what Ship and to what Port he pleaſes?

No man ſhall be outlaw'd, made an *Exlex*, *i. e.* debarred of the Benefit of the Law of the Land, unleſs it be done according to Law. Now according to the Diſcipline of the Navy, are not all our Sailors Outlaws, and deprived of the Benefit of the Law, when they are not their own men, but liable to be taken into Cuſtody, and deprived of their Liberty by every rapacious Preſs-maſter?

No man ſhall be exiled, baniſhed from the Place of his Nativity. *Nemo perdet Patriam.* By the Laws of our Land, no man can be baniſhed from his Native Country, but upon two Accounts. 1*ſt*. Either by the Power or Authority of Parliament; or 2*dly*. In caſe of Abjuration for Felony by the Common Law. The King himſelf cannot ſend any Subject of *England* againſt his Will to ſerve him out of this Realm, ſo that he ſhould be an Exile, and that he ſhould *perdere Patriam*. But it ſeems the Officers of the Navy have a greater Power than the King, who can force *Freemen* from their Country, and ſend them to ſerve in the moſt remote Regions of the World.

No man ſhall be deſtroyed (Deſtruere id eſt quod prius ſtructum & factum fuit, penitus Evertere & Deſtruere) unleſs by a Legal Verdict. By deſtroying is meant forejudging of Life and Limb, or putting to Torture or Death; every oppreſſion againſt Law by colour of any uſurped Authority, being a kind of Deſtruction. Now to apply this to the Diſcipline of the Navy. What dee' think of whipping our Seamen at the Gears, and then baſting their flea'd Backs with as many Canns of Pickle as the Commander by his diſcretionary Power pleaſes to order? Are not our Ships thus become meer *Bridewells*, and our Sailors as bad or worſe than Gally Slaves? nay, I have known a Boy of 2 or 3 and twenty years of age laſh'd to a Gun and whipt, a puniſhment given to the youngeſt Boys on board Ship. Had our Commanders any Religion, our Seamen might ſtand in fear of the Inquiſition. If a ſtop be not put to their Barbarous and Inhumane Cruelties, they'l in time borrow the Rack from the *French*, and the Boot and Thumb Screws from the *Scots*. Can you blame the Sailors for running from ſuch Tortures, and ſhall they

be

be puniſht for complaining of their Miſeries. 'Tis this, Sir, that daſtardizes and effeminates the noble Spirits of your Seamen: 'Tis this makes them deſert the Service of their Country: 'Tis this peoples Colonys of Pirates abroad: And 'tis this will in time be the Ruin of the moſt Glorious Navy of the Univerſe. Nor are Pecuniary Mulcts a leſs Crime. How this came to be a part of the Diſcipline of the Navy, I can't tell; but when men govern by their Will, and not by Law, we muſt every day expect new puniſhments. But if it's reaſonable that the Sailors ſhould be puniſht after this manner, is it not as reaſonable that the Mulct ſhould be anſwerable to the Crime? If a Sailor be abſent from his Ship a Week, is not that Week's pay ſufficient to be ſtopt for that Week's Crime? The Fines in our Courts of Juſtice are laid according to the Worth of the Criminal, exorbitant Fines having in all Ages been eſteemed extrajudicial: no man can be fin'd more than he is capable of paying; and to fine a Perſon to the full Value of his Eſtate, is giving away all a man has been gathering for many Years for one Piccadillo.

By lawful Judgment of his Peers, and by the Law of the Land. Peers, that is his Equals, men of the ſame Rank and Quality with himſelf. But the Sailors are not try'd after this manner, the ſame Perſon is Accuſer, Judg and Jury: they have no Indictment, no Jury empannel'd, no Counſel to plead for them; ſtrip they muſt, and to the Gears; the Cat of nine-Tails, and the Pickle Cann muſt be exerciſed upon the Back, as long as the Whipping-Tom upon the Quarter Deck is pleas'd with the ſport. 'Tis pity young *Fudge's* dearly beloved Friend *Jefferies* is dead; he exercis'd his Talent ſo well in the late Reign in the *Weſt*, that he

would have made an excellent Navy Officer now. They are to be try'd too by the Law of the Land, *i. e.* by due Proceſs of Law, for ſo the words are expreſly expounded by the Stat. of 37 *Ed.* 3. Chap. 8. But inſtead of this Trial, they are puniſht by the Law of the Admiralty without any Trial at all. So that the poor Tarrs are a ſort of People that have no Right at all to any thing but ill Uſage and barbarous unmanly Puniſhments; Puniſhments that are ſuperior to Death it ſelf, becauſe ignominious and ſhameful; *malim mori quam vapulari.* But our Navy Officers, like the *Sicilian* Tyrants, employ their Brains more in contriving new ſorts of Puniſhments, than in finding out good and wholeſom Laws to maintain a Diſcipline in the Navy.

Thus, Sir, I have given you a ſhort view of the Inconſiſtence of the Navy Diſcipline with the fundamental Laws of our Realm; a Diſcipline not only contrary to the Laws of our Country, but even to the Laws of Nature, and the practice of the moſt uncivilized part of the world. And upon the whole I muſt conclude, that they being warranted by no Law in the Execution of theſe Severities, have aſſumed to, and veſted themſelves with a Legiſlative Power, a Power I ſhall never own to be lodged any where but in Parliament. But if the People of *England* are ſo far willing to part with their Conſtitution, as to ſuffer the Navy Officers to make Laws penal, 'een let 'em allow the Lords of the Treaſury Power to raiſe Mony, and then our Buſineſs is brought into a very narrow Compaſs; 'twill be a great eaſe to you Members of Parliament, you may retire into the Country, walk over your pleaſant Fields, and ſit under your own Vines; but I can tell you in a ſhort time who'l eat

your

your Grapes. Pray, Sir, do but call to mind the days of old, the years of your Forefathers; look into the Chronicles of former Ages: did any of your worthy Progenitors ſuffer their Rights thus to be invaded by men that are their Servants, and receive their Pay? Have they not left you Copies of your Freedom, ſealed with their own blood? What Hazards have they run? what Dangers have they attempted? what Battels have they fought to ſecure to Poſterity thoſe Liberties they valued before their Lives? Are not our Liberties the ſame? Has envious Time devoured any part of them? Are they leſs amiable becauſe they are old? Did they bring Kings to diſtreſs, ſhatter Crowns, and humble Tyrannical Princes, who invaded their Birth-rights? And will you ſuffer your Freedoms, your Antient Conſtitution thus to be rent and torn by men of inferior Quality? Whom your Forefathers would have impeached in the name of the good People of *England*, and made them anſwer for aſſuming to themſelves a Legiſlative Power. If you read an excellent Book lately publiſhed, entituled, *A Vindication of Magna Charta*, you'l there ſee how valuable thoſe Rights were, and what Toil and Labour our Forefathers underwent to keep them entire, and tranſmit them to Poſterity.

I ſhall in the next place prove, that the Commiſſioners for executing the Office of Lord High Admiral of *England* during the War, have aſſumed to themſelves a Diſpenſing Power.

By an Act, *Anno Gulielmi & Mariæ 4to, & 5to.* entituled, *An Act for continuing the Acts for prohibiting all Trade and Commerce with* France, *and for the Encouragement of Privateers*, p. 505. it is enacted,

" That if any Captain or Officer, or any other Per-
" ſon by his Command or Direction, or any Seaman,
" or Souldier, or other Perſon ſerving in their Ma-
" jeſtys Navy, or in any Privateer, ſhall take to him
" or themſelves, or imbezle any Mony, Plate, Goods,
" Lading or Tackle, or any things upon, or above
" the Gun Deck, or any other part or place whatſo-
" ever, in any Ship taken or ſeized on for Prize, or
" retaken from the Enemy, the party offending ſhall
" loſe and forfeit the Shares, Proportions and Re-
" wards to him allowed by this Act. And alſo in caſe
" ſuch Perſon be an Officer, he ſhall forfeit the Sum
" of five hundred Pounds; and ſuch Officer ſhall be un-
" capable of any Office or Employment under their
" Majeſtys during the ſpace of ſeven Years.

Many Commanders of Ships, guilty of embezling Prize Goods, and of running of Wines, *&c.* contrary to Law, have notwithſtanding this been either continued or reſtored to their Commands. If your Honourable Houſe pleaſes to ſend for a Liſt of ſuch Commanders as have been diſcharged, and afterwards reſtored to their Commands, and examine into the merits of the Cauſe for which they were diſcharged, you will find this a manifeſt Truth. To have the Kings ſhips become Owners, is far worſe: as lately a parcel of Wool was ſeized on board the *Iſabella* Yacht, that has the ſtation betwixt *Southampton* and *Jerſey*. I know not how her Pilot Mr. *Peter de St. Croix* (whom I have known much averſe to things of that nature) was prevailed on to take the Matter upon himſelf; But this I know very well, that if your Honourable Houſe would enquire into this ſingle thing, it would be of great Advantage. I am ſure the Judges took the Caſe right enough, whatever the Opinion

of

of the Admiralty might be concerning it. If a Merchant makes a miſtake in entring of Goods, the King's Officers are ſharp enough upon him; but when Officers themſelves, or Commanders of the Navy are guilty of theſe Crimes, they have Friends to bring them off, tho contrary to the Laws of the Land.

Now, Sir, for theſe very Practices, for the Diſpenſing with Laws, did we depoſe the late King *James*: Upon this Account had this very Government its Being. And ſhall we ſuffer Men in Commiſſion under the Government, not only to make new Laws, but diſpenſe with old ones? Their Power is indeed very great, who can make Laws, inflicting Puniſhments upon others, when no Laws are binding upon themſelves. They are ſelf-holders of the Admiralty, ſupported by an uncontroulable Power, and Soveraign Will. What a miſerable Condition are thoſe Men in, that are under the Command of ſuch whoſe unlimited Rage always roars, and where Laws are always ſilent? This is the Oeconomy of the ſavage Beaſts of the Earth, and thus our Offices become meer Deſerts.

I ſhall next ſhow you how theſe makers of new Laws are Repealers of the old, good, and wholeſom Practices and Cuſtoms of the Navy. Their *Fudge* tells you of the Embelliſhments they have added, but not of the Ornaments they have taken away. It has been the conſtant practice of the Admiralty in the days of yore, to prefer Men according to their Merit and Demeanour on Shipboard: the Navy of *England* was in thoſe times a School, wherein the young Gentlemen of the Nation were educated and inſtructed in the Military Arts of the Sea, and became greatly ſerviceable to their Country. Theſe Men being deſcended from generous Stocks, valued their Reputation, and ſcorn'd to do any thing

that

that might blot or ſtain their Pedigree. The Sailors of the Navy had then better Treatment, abuſes being beneath the Character of Gentlemen: Cruelties and Barbarities are inconſiſtent with the nature of generous and noble Spirits; Whipping and Pickling was then a Puniſhment unknown. Cruelty and Cowardice are things inſeparable, and practiſed only by Men of a ſervil Education. If a Foot-boy or Page be made a Commander, he remembers the Flaps of the Cook-maids Diſhclout, the Baſting and Caning of his Maſter's Steward; and now it comes to his turn to domineer, he tyrannizes with a reſiſtleſs Fury. Thoſe Gentlemen that were Reformades, or King's Letter-men, were ſure of being Lieutenants in former times, and as ſure of being Captains in their turn; no Foot-boys or Pages then skip'd over their Heads. But now you may find Lieutenants of many Years ſtanding in the Navy, while Maſters of Merchant-men, *&c.* are made Commanders of *3d* Rates, a Poſt in former Ages not beneath the Dignity of Noblemen; as for inſtance, the Earl of *Oſſory* in the *Reſolution*, and the Lord *Mulgrave* in the *Royal Katherine*. Our Ships were then throng'd with Noblemen, their Sons, and the Sons of our Gentry. But how many of Quality have ſerved in the Fleet during this War? And is not the loſs of Diſcipline the apparent Cauſe thereof? For 'tis contrary to the very being of generous Spirits to ſerve under the Command of the Riffraff of their Country, and to do Homage to Men of more inferior Qualities than their Servants. And what encouragement is thus given to thoſe Gentlemen that have ſerved a long time in the Navy as Lieutenants or otherwiſe, when thoſe that never ſerved the King one hour are preferred over their Heads? It is farther obſervable, that the Maſters of

ſuch

ſuch Merchant-ſhips as have been hired into the Service during the War, by the Intereſt of the Owners, have been made Commanders of them, to the Diſcouragement of ſuch as have ſerved in the Navy: ſuch Commanders in an Engagement were more likely to ſave the Merchantſhips from blows than hazard them in the King's Service. But for all this they boaſt of the Diſcipline of the Navy, as a thing excelling that of former Ages, in defiance to publick Opinion, and the Reſults of the mature Debates of the Wiſdom of the Nation. Yet upon this Account have the Enemies of the Government no occaſion to reflect upon it, no more than the Husbandman is to be blamed for the numerous quantities of Weeds that ſpring up among his Wheat. The King never gave his Commiſſion to the Officers of the Navy to oppreſs his Subjects, to ſilence old Laws, and enact new Ones. And 'tis much to be feared, methods are taken to prevent the Complaints and Cries of the Subject from reaching his Majeſties Ears; otherwiſe we cannot imagine a Prince that has experienced ſo much of their tender Affection, of their Bravery in War, and the generous Supplies they have given him to preſerve his Perſon and Government, would ſuffer them to languiſh under ſuch intolerable and illegal Evils. If they had Commiſſions granted upon ſuch an Account, we ſhould know whereabouts we are. Yet tho ſuch Commiſſions, being out of the Verge of the Executive Power, are to be accounted for, the Perſons executing them are not excuſable, however it fared with the Miniſters of the late King *James*. But we have no room for Imaginations of this kind under this Government. And I may farther add, that were his Majeſty truly ſenſible of the Condition of his Sailors, he would not ſuffer ſuch Abuſes upon them;

 he

he would not withhold from them their Wages, upon the Account of pretended and illegal Forfeitures: his wonted and manifeſt Clemency muſt create in us better Thoughts, than that he who has pardon'd Aſſaſſins, ſuch as have conſpired to take away his Life, that has eaſed *Newgate* ſo often of its burden of Criminals of all ſorts, by Acts of Grace and Free Pardons, will ſuffer his Sailors to loſe their Pay, and ſtarve for innocent Crimes, without extending his Mercy towards them.

Now, Sir, having given you a true account of the nature of our Naval Diſcipline, I ſhall ſpend a little more time in conſidering what young *Fudge*, the Admiralty Author, has to ſay for his Maſters. *P.* 21. he ſays, "Care has been always taken to do Juſtice to the "Sailors; for when any one produced reaſonable Teſ-"timonials that he did not deſignedly deſert the Ser-"vice, but after Recovery endeavoured to return to "his proper Ship, if in the way, or entred himſelf in "any other Ship or Veſſel within reach, or that he "was Impreſſed when endeavouring ſo to do, the Q "has been taken off, and he reſtored to his Pay. Now the queſtion is, what thoſe reaſonable Teſtimonials are; a few Guineas to young *Fudge*, I believe as good a Teſtimonial as can be. But what do Teſtimonials, Certificates, or things of that nature ſignify, if they won't receive them?

He tells you, *p.* 21. "That the Lords of the Admi-"ralty did in leſs than ſix months time, relieve at leaſt "750 of the ſeventeen hundred Perſons that made "Application. How long was it before their Cauſe was heard? How long had their Petitions lain at the Board? It was near ſix months before the ſeven hun-

dred

dred and fifty were relieved; and before the seventeen hundred can be relieved, it will make it up eighteen months, or thereabouts. Now suppose before they were heard, their Petitions lay but 6 Months, this added to the 18 Months makes two Years; and suppose some of these Men have but six or twelve Months pay due to them, is it worth while to attend two Years to sollicite for six Months Wages, which they are not certain of getting at the two Years end?

He tells us, *pag.* 22. "That the Seamen have been "much wanting to themselves and Families, as to "forfeit their Pay by turning their Back upon their "Duty. When Men have been five or six Years in the Service without one penny of Wages, can you blame them? Who would not turn their Backs upon such a Service? Are a Servant's Wages forfeited, because he deserts his Master's Service? Are not his Wages as recoverable by Law, as they were before he deserted? 'Tis much to be feared that Men are thus kept out of their Pay, on purpose to make them desert the Service; for the Money for their Service is without doubt brought into the Pay Office, and the longer it lies there, the better it is for the Cashiers: The very Interest thereof comes to something; they may lend it the Government at 8 *per Cent.* I rather think the Sailors are more wanting to themselves and Familys, by entering into the Service, than by leaving it: For in a Merchant-man they might meet with good Usage and good Pay. And, suppose the major part of the Sailors of the English Navy are impressed into the Service, must they be made Prisoners, and lose their due for giving themselves that Liberty, wherein the Laws of their Country, of God and Nature have set them free? I believe if young *Fudg* were to be whipt and

pick'd for 22 *s.* 6 *d. per mensem*, he would near hand desert the Service. These Men do not run away from their Pay, but they run away because they are not paid; but young *Fudg* is like the Fellow that beat his Dog till he stank, and then beat him for stinking.

Now our Naval Politicks are quite spent, the whole Store of Admiralty sense and railery is at an end: for *Fudg* repeats in *pag.* 23. the very same dull stuff that preceded in *page* 22. And upon the whole, Sir, have you not here a very fine Account of the Management of your Navy? This is an entire System of our Naval Politicks, written no doubt *permissu & emendationibus Superiorum.* If we are to be invaded, you see our Ships Stations at that time must be in the *Downs*; this is but a sample of their wonderful Sagacity, and what we must expect from their Conduct. And as for their Naval Discipline, I hope I have set you right in that Point; for tho I must needs acknowledg a Discipline in the Navy to be very necessary, yet there's difference betwixt staring and stark mad. Men ought to be kept to their Duty, but not by such severe and inhumane Methods as shall frighten them from the Service. By such a Discipline we shall have no Men to exercise our Discipline upon, but shall act like the wise Commander, who sunk his Ship to drown the Rats. By such a Discipline we shall not only bring upon us the Curses of the Sailors, but the Curses of God Almighty, who hears the Cries of the Oppressed, and punishes Kingdoms for such acts of Violence. These Men that impose such strict Discipline on others, have none among themselves. If their Attendance at their respective Offices were enquired into, you will find as much reason to prick them Run, as the poor Sailors. Some of them can be absent three or four Months together, and yet

receive

receive their Pay without any Q or R. We are not, you know, Sir, in Debt, and therefore can allow one of the Victuallers to look after his Oxen in the Country at Summer, to ſell them a good pennyworth to the King at Winter. Bring but our Sailors upon the ſame foot with the Commiſſioners of the Navy, and Victualling; let their Ships be double mann'd, as thoſe Offices are double Commiſſioner'd, that one half may do Duty while the t'other half is abſent, and we'll no more complain of Q's and R's.

I am ſure, Sir, I have not miſpent my Time, if theſe few Pages prove any ways ſerviceable to the common good of my Country: Tho indeed I ſhould have taken no notice of my trifling railing Obſervator, had I not before reſolved to publiſh my Thoughts on the Diſcipline of the Navy. How conſiderable ſoever he may think himſelf, becauſe he occupies an immerited Office under the Government, he thinks himſelf unanſwerable, as you may ſee in the very firſt Paragraph of his Book, with which I ſhall conclude; ſays he, "It might have "been reaſonably believed, that the Author of a late "Pamphlet, relating to Miſmanagements in the Na- "vy, would have left of Scribling, ſince the Anſwer "to his laſt Year's Politicks left him ſo little Re- "putation. Now you muſt know, Sir, that young *Fudg* laſt Year printed an Anſwer to my *State of the Navy:* It contain'd about as much ſtuff as a halfpenny Ballad, tho not half ſo much ſenſe. But becauſe no body took any notice of him, he thought every Body acquieſc'd with his Opinion, and that his Nonſenſe paſs'd as current with Mankind, as a Seaman's Ticket does for 7 *s.* and 6 *d.* in the Pound. It is impoſſible for a Man that has no Reputation to blaſt the Credit of another in the Opinion of good and juſt Men, the only

Perſons whoſe Favour I eſteem; and I can aſſure young *Fudg*, if he adds a dung Cart full of Lies to the Wheel-barrow he has fill'd already, I ſhould not ſtain my Reputation to rake in his Dirt. The reproaches of Fools, the ſcandals of the Rabble, are no cauſe of Reſentment to Men that know better how to employ their Thoughts; nor am I any more concerned at things of this nature, than the Moon, who keeps on her ſteady and conſtant Courſe, while all the little Dogs in the Pariſh are barking at her.

FINIS.

The Firſt Grievance is Queries.

THE Nature and Effect of thoſe Queries are, That every Man ſet on Shoar ſick, and not returning to his proper Ship or ſome other in one Month, or immediately after diſcharg'd from ſick Quarters, thereby forfeits his Wages.

The Second Grievance is R's.

And thoſe R's *have of late been ſtrenuouſly obſerved, if not improved to the Seaman's Prejudice. The Nature or Effect of thoſe* R's *as now practiſed, is, That the Perſons who by accident or otherwiſe, do leave or are left by their proper Ships, are by thoſe* R's *noted to be Run, and forfeit all the Wages due to them, not only in the Ships they leave, but in all former Ships as far as the ſame is unpaid, notwithſtanding Tickets long before delivered them for their former ſervice; by what new Rules or Orders this is practis'd I cannot ſay, but am well aſſur'd 'tis contrary to the former Practice and Rules of the Navy.*

The Third Grievance is,

The deferring or non-payment of the Wages of ſuch as are dead or abſent, notwithſtanding others have attended with ſufficient Power to receive the ſame, and no colour of Objection, and thoſe to whom it's due ready to periſh for want: to ſuch there are ſeveral 100000 l. *now due and in Arrears, which ſhould have been long ſince paid.*

The

The Fourth Grievance is, the unuſual and irregular manner of Payment lately practiſed, *viz.*

Some Ships that have three or four Years Pay due, have been paid only ten or twelve Months, the latter time, and the former left unpaid upon account of their Companies being turned over into other Ships.

2dly, *Some Ships paid for the whole time, yet many People left unpaid.*

The Fifth Grievance is,

Turning Men over from Ship to Ship, lending them, and bearing them by Liſt, that they know not in what Ship, nor by what means they may obtain their Wages.

The Sixth Grievance is the Alteration of Officers Qualities.

By this their Wages have been retrenched, ſome from 3l. *to* 36 s. *others from* 36 *to* 23 s. &c.

The Seventh Grievance is,

Non-payment of Powers (or Letters of Attorney) made to Officers; that is, if any Officer's Father, Brother, Relation, or any other Friend hath ſerved in the Navy, and hath made a Letter of Attorney to ſuch Officer to receive the Wages, he is denied Payment of the ſame.

The Eighth (tho not a poſitive) Grievance;

Yet as Matter worthy Conſideration, I ſhall hint ſomething touching the ſmallneſs of the able Seaman's Pay, and would not omit the Gunners, Boatſwains, and Carpenters herein.

As for the able Seamans Pay, it is 24 s. per *Month, the Deduction from the Regiſtred Seamen* 1 s. *and from thoſe that are not Regiſtred* 1 s. 6d. per *Month, ſo that their Pay is but* 22 s. *and* 6 d. *The Warrant-Officers before-mentioned, have Pay according to the reſpective Rates they are in.*

The Ninth Grievance is,

The Difficulty of obtaining His Majeſty's gracious Bounty allowed the Widows and Children of ſuch as are ſlain in His Majeſty's Service, and the Monies due for the Clothes of ſuch as die; which Clothes are generally ſold at the Maſt; ſuch Seamens Families and Relations being at a diſtance, and not knowing where to find the proper Officers to ſign ſuch Certificates as required

quired for the Payment of such Bounty and Clothe-Money, it hath been long delayed, and often-times intirely lost.

The Tenth Grievance is,

The Non-payment of the Register'd Seamen, (not to insist on 40 s. per Annum hitherto unpaid) I shall only mention the Case of the Widows, Friends, and Relations of such as have died in the Service, with respect to their Wages.

1. Such as die on Voyages to Holland, France, the Narrow-Seas, &c. their Wages are refused to be paid according to the Act, it being alledged that such are not Foreign Voyages.

2. Such as have been bound out on Foreign Voyages, and died before the Ships departure from England, their Wages are also refused.

3. Such as have been on Foreign Voyages so accounted, and in such Voyages have contracted Sickness, whereof they have died immediately after the Ships Return to England; their Wages are also refused, as not intended by the said Act to be paid.

4. Such as have gone out in one Ship, and served a considerable time in her, and afterwards turned over into another, and there in a few Months died; the Widows of such are paid for the Ships only wherein they died, and not for the former.

5. Such Commission and Warrant-Officers as are Register'd who die on Foreign Voyages, their Wages are refused, as not intended to be paid by the said Act.

The Eleventh Grievance is,

The Government and Discipline used in the Navy; but there being already good and wholesome Laws provided, both for suppressing Vice, and encouraging Virtue, I have little to say, only that the Epidemical abounding of Vice and Debauchery through the whole Fleet, too evidently demonstrates the Neglect, if not the Contempt of the said Laws: And it would be well if the Practice and Example of superior Officers did not so much contribute to the same; and whether this (with a sordid and slavish Punishment, viz. Whipping and Pickling, much us'd of late, and that on frivolous Occasions) do not tend to the dastardizing of the Spirits of our English Seamen, and the animating and emboldening our Enemies, and consequently to the Nations Prejudice, 'twill do well to consider; and if found to be so, to redress the same.

The Twelfth Grievance is,

The fraudulent Dealing of many that pretend to solicite Business, and receive Wages in the Navy, by which the Seamen are also prejudiced; but the Particulars hereof being too long to insert herein, shall at present omit the same.

Errat. Page 16. line 15. for *destruere* read *obruere*.

205405